

SENATE BILL 4089

By Finney R.

AN ACT to amend Tennessee Code Annotated, Title 29,
relative to eminent domain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, is amended by adding
the following as a new section:

Except as otherwise specifically provided for blight removal, slum clearance, or industrial development, before a governmental entity may exercise the power of eminent domain primarily for the promotion of economic development by transferring the property to a private party or parties, the planning commission of the entity must approve a development plan for the area that provides thoroughly and specifically for the method for promoting the economic development of the area. Before approving or denying the plan, the planning commission must hold a public hearing on the plan for which adequate public notice is given. If the planning commission approves the plan, it must then be submitted to the governing body for consideration. The governing body must also hold a public hearing on the plan for which adequate public notice is given. The governing body must approve the plan. If the plan is approved, the governmental entity may proceed with condemning the property in the plan area. The developers or owners who will execute the development plan, however, cannot be chosen until the plan is finally approved by the governing body, and must be chosen based upon a request for proposals process that ensures fairness and equity while at the same time promoting competence and the assured ability to execute the plan.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.